

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/991,284
Filing Date: November 21, 2001
Applicant: William Lo
Group Art Unit: 2416
Examiner: Toan D. Nguyen
Title: AUTONEGOTIATION BETWEEN 10000BASE-X
AND 1000BASE-T
Attorney Docket: MP0082

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Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. 1.104(e). In the present case, Applicant believes that the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted. Therefore, the record should reflect that the Applicant does not necessarily agree with the statement in the reasons for allowance.

Applicant does not necessarily agree with the Statement of Reasons for Allowance to the extent that the Examiner may have loosely paraphrased one or

more claims. When this occurs, the quoted language may not exactly correspond with any of the allowed independent claims. Applicant's claims should be limited only by the terms utilized therein. Thus, Applicant hereby submits these Comments in an effort to ensure that the claims are properly construed based only upon limitations that are actually present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

Applicant does not necessarily agree with the Statement of Reasons for Allowance to the extent that the Examiner identified only selected portions of the claim to the exclusion of other elements of the claim. When this occurs, the Examiner may have failed to consider the claimed invention as a whole and/or may to identify other reasons providing an independent basis for allowance of the claims.

Additionally, Applicant does not necessarily agree with the Statement of Reasons for Allowance to the extent that the Examiner has commented on what the prior art shows and/or does not show.

Should there be any outstanding matters that need to be resolved in the present application the Examiner is respectfully requested to contact the undersigned. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

Dated: April 9, 2009

By: 

Damian M. Aquino
Reg. No. 54,964

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDW/DMA/rao